

STATE OF WISCONSIN  
BEFORE THE VETERINARY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	ORDER GRANTING STAY OF
	:	SUSPENSION AND
BRIAN L. KERSTEN, D.V.M.,	:	ISSUING LICENSE
	:	WITH CONDITIONS
RESPONDENT.	:	
	:	ORDER: 0005117

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The Wisconsin Veterinary Examining Board (the Board) makes the following Findings of Fact and Order in case 16 VET 032:

PARTIES

The Board is created and attached to the Wisconsin Department of Agriculture, Trade and Consumer Protection (the Department) pursuant to Wis. Stat. s. 15.135(5).

Dr. Brian Kersten, DVM (Respondent), was first licensed in the State of Wisconsin to practice veterinary medicine on June 15, 1983, having license number 404397 (previously 2557-50), and is currently SUSPENDED by Order Number 0005014 dated January 25, 2017.

Respondent's most recent address on file with the Department is 390 8<sup>th</sup> Avenue, Baldwin, Wisconsin 54002.

FINDINGS OF FACT

On January 25, 2017, the Board issued a Final Decision and Order in case 16 VET 032, suspending Respondent's license to practice veterinary medicine for engaging in Unprofessional Conduct. The Order required Respondent to remain suspended for at least 6 months after his release from incarceration. Further, the Order required, should the suspension be stayed, that the Respondent have a number of conditions attached to his license.

Respondent was released from incarceration more than 6 months ago.

Respondent filed a petition seeking to have the suspension stayed, and his license re-issued with conditions.

This matter, having come before the Veterinary Examining Board (the Board) on October 21, 2020, on a Petition for Stay of Suspension. Dr. Kersten appeared and provided a statement.

### ORDER

Based on Respondent's petition and all of the information available, the Board HEREBY ORDERS that Dr. Brian Kersten's suspension of his license to practice veterinary medicine is STAYED, and his license is reinstated with the following conditions for a period of not less than 36 months:

- a. Respondent shall participate in any medical, mental health or other therapeutic treatment or programming recommended by the Minnesota Department of Corrections or other agency providing parole or probation supervision, or as recommended or required by the Board;
- b. Respondent shall cooperate with the rules and conditions of his incarceration and with the rules and conditions of his parole or probation upon release from incarceration;
- c. Respondent shall not violate any criminal law;
- d. Respondent shall submit written reports or other documentation as requested or required by the Board for the period of any stay of suspension;
- e. Respondent shall immediately notify the

Board of any contact with a police agency;

f. Respondent shall immediately notify the Board of any alleged violation of parole or probation rules;

g. Respondent shall not have contact with any person engaged in prostitution;

h. Respondent shall not enter into or contact any place or entity providing massage services unless specifically prescribed by a medical professional;

i. Respondent shall provide a copy of his Final Decision and Order and all other subsequent orders, including this one, immediately to supervisory personnel at all settings where Respondent is employed as a veterinarian;

j. Respondent shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of the change; and

k. Respondent shall not engage in unprofessional conduct during the pendency of this Order.

IT IS FURTHER ORDERED that:

1. The conditions listed above shall remain in effect for the period of any stay of suspension unless modified by further written agreement of the Board and the Respondent.

2. The Board or its designee may reinstate the suspension without hearing, if provided with sufficient information that it is appropriate for the suspension to be reinstated. Whether to reinstate the suspension shall be wholly in the discretion of the Board or its designee.

3. Respondent shall be responsible for costs and expenses incurred in conjunction with the monitoring, screening, supervision and any other expenses associated with compliance with the terms of any order issued by the Board in this matter, including this Order. Failure to make any payment as required is a violation of this Order.

4. Respondent may petition the Board for termination of this Order three (3) years after the entry of a stay of suspension, if granted. No petition for

termination shall be considered without a showing of continuous successful compliance with the terms of this Order up to the date of the petition for termination.

5. This Order is effective on the date of its signing.

FOR WISCONSIN VETERINARY EXAMINING BOARD:

by: Robert A. Bales DVM 10/21/20  
Date  
Print name: Robert A. Bales DVM  
A Member of the Board